

Contact Lens Prescription Release Rule

On November 2, 2001, the Wisconsin Optometry Examining Board approved an order adopting its final rule relating to the release of contact lens prescriptions.

Section Opt 5.02(1) was created to define “contact lens prescription” and s. Opt 5.16 was created to state that it shall be unprofessional conduct for an optometrist to fail to release, upon request by a patient and at no cost to the patient, a copy of the patient’s contact lens prescription following release of the patient from contact lens fitting and initial follow-up care. The relevant text of the rule reads as follows:

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Opt 5.02 Definitions. (1) “Contact lens prescription” means a prescription order for a contact lens that includes all of the following:

- (a) The specifications needed to adequately duplicate a contact lens.
- (b) The name, signature and license number of the prescribing optometrist.
- (c) The date of the prescription.
- (d) The date of expiration.
- (e) Provisions for a reasonable number of refills.

Opt 5.16 Contact lens prescription release.

It shall be unprofessional conduct for an optometrist to fail to release, upon request by a patient and at no cost to the patient, a copy of the patient’s contact lens prescription following release of the patient from contact lens fitting and initial follow-up care.

The rule became effective on January 1, 2002. A copy of the final rule is available on the Internet at:

<http://www.legis.state.wi.us/rsb/code/opt/opt.html>.

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About Your Optometry Examining Board

The Optometry Examining Board licenses and regulates optometrists. The Optometry Examining Board is composed of 5 members of the profession and 2 public members who are appointed by the Governor and confirmed by the Senate. All board members must be residents of Wisconsin. They may serve no more than two consecutive 4-year terms; terms end on July 1.

General powers of the board include:

- Compel the attendance of witnesses, administer oaths, take testimony and receive proof concerning all matters within its jurisdiction
- Promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to optometry
- Limit, suspend, revoke or reprimand the holder of any license granted by the board
- Foster the standards of education or training pertaining to optometry, not only in relation to the individual or to the organized business enterprise, but also in relation to government and to the general welfare. The board shall endeavor to bring about a better understanding of the relationship of optometry to the general welfare of the state.

Current OEB members and terms:

Jeff Sarazen, OD	Member	1st term	expired 7-1-01
Kerry Griebenow, OD	Member	1st term	expires 7-1-02
Leon Griffin, Jr., OD	Vice Chair		term expires 7-1-01
Chris Hubbell, OD	Chair		term expired 7-1-00
Heather Hinson, OD	Member	2nd term	expires 7-1-03
Lynne LeCount	Secretary	2nd term	expires 7-1-02
Ray Heiser	Member	1st term	expires 7-1-04

Children's Vision Initiative: Budget Act (2001 Wisconsin Act 16)

In February 2002 the Optometry Examining Board and the Medical Examining Board approved a form to be used by school districts for verification of an eye examination by an OD or evaluation by an MD. The Department of Regulation and Licensing will distribute the form to school districts and charter

schools to be used by students to provide evidence back to the school of an eye evaluation. This form lists the minimum requirements necessary to fulfill the Pre-kindergarten eye evaluation. You can expect to see these forms before the start of school 2002.

It is important to note that the minimum requirements for the Pre-kindergarten eye evaluation are different from the minimum eye examination required of optometrists in Opt 5.08 and defined in Opt 1.02 (5). The Pre-kindergarten eye evaluation in no way replaces the required minimum eye examination.

The Children's Vision Initiative also calls upon eye care professions to provide free examinations to those students who are in financial need and do not have insurance coverage. Please consider being involved in programs such as Vision USA, Project Insight, or other similar programs.

WOA Children's Vision Initiative Signed Into Law

- (1) On August 30, 2001 Governor Scott McCallum signed a Children's Vision Initiative into law as part of the \$47 Billion State Budget proposal.
- (2) Under this initiative, every child entering Public Kindergarten in Wisconsin is encouraged by the State to receive a comprehensive **examination** by a licensed optometrist or an **evaluation** by a licensed physician.

Statutes and Rules Committee

The three member Statutes and Rules Committee composed of Kerry Griebenow, OD, Chris Hubbell, OD, and Lynne LeCount is currently reviewing Chapter 449 to recommend clean up language that would update our statute; remove any archaic language and revise any conflicting language. The committee is independently reviewing ch. 449, minutes from past OEB meetings along with input from the WOA, which has independently considered similar clean-up legislation.

Continuing Education

2002 starts a new biennium for CE. Opt 6.04 and Opt 6.05 defines the continuing education requirements for therapeutic certification. Also, remember "other topics as designated by the board" include advanced clinician/patient communication skills and advanced therapeutic procedures.

Department Approves Drug Testing Programs

The Department of Regulation and Licensing now has the authority to approve programs authorized to manage the drug testing for licensees required to submit to drug tests. The boards or the Department may order a credential holder to submit to random drug testing following an investigation involving the abuse of alcohol or other drugs. The Department also administers the Impaired Professionals Procedure (IPP), a non-disciplinary monitoring program available to credential holders who self-report alcohol or drug abuse before serious harm has occurred. If you are currently required to submit to drug testing and want more information about enrolling in an approved program, contact the Impaired Professionals Procedure Coordinator at (608) 267-9883.

IMPAIRED PROFESSIONALS PROCEDURE

Chemical dependency is rampant in the United States. Research shows at least 1 in 10 persons in this country are abusing alcohol, illicit street drugs and/or controlled substances. Professionals are not immune from this deadly illness. The Department of Regulation and Licensing has a program available to deal with the ever-increasing problem. The Impaired Professionals Procedure (IPP) is a non-disciplinary monitoring program available as an alternative to the disciplinary process if a drug and/or alcohol problem is identified and dealt with before serious harm has occurred. The goal of the procedure is to protect the public by offering credential holders an opportunity for rehabilitation and safe return to professional practice. Self-reporting to the IPP provides professionals with assistance in obtaining treatment for chemical dependency without disciplinary action being taken against the license. Participation encourages ongoing commitment to treatment and recovery.

The Impaired Professionals Procedure is available to the department for those professions it directly credentials, as well as to all boards attached to the department. Once a professional is determined to be eligible, the credential holder must agree to an assessment for chemical dependency conducted by a qualified treatment provider within their community. The results of the assessment are considered when establishing

requirements for participation. The requirements for monitoring include: an agreement to participate for a specified period of time (2-5 years depending on the profession); an agreement to actively participate in treatment for chemical dependency with an approved treatment facility or therapist; an agreement to abstain from alcohol and other drugs not prescribed for a valid medical purpose; an agreement to attend Alcoholics or Narcotics Anonymous; and an agreement to submit to random, monitored urine/blood screens for chemical substances. In most cases, work supervision is also required. Other restrictions may be included if deemed necessary to protect the public.

The credential holder's progress is monitored through quarterly reports from the participant and from the treatment provider and work supervisor. In cases of serious or continuing violations, a referral to the Division of Enforcement and the regulatory authority may be required which could lead to limitation, suspension or revocation of the professional license.

Participation in IPP and compliance with requirements allows the credential holder to retain his/her professional credential. The fact that a credential holder is participating in IPP is not routinely available as public information.

Participation in IPP is voluntary for those credential holders who are deemed eligible. The alternative to participation in IPP may be referral to the Division of Enforcement for possible disciplinary action.

For specific information on the Impaired Professionals Procedure, call (608) 267-9883.

2002 Meeting Dates

May 10, July 12, September 13, November 8.

REGULATORY DIGEST

PRSRT STD
U.S. Postage
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RETURN SERVICE REQUESTED

Telephone Directory

Automated Phone System for Chiropractic, Acupuncture, Massage Therapists/BodyWorkers, Music, Art & Dance Therapists, Marriage & Family Therapists, Nursing, Optometry, Professional Counselors, Psychology, & Social Workers: (608) 266-0145

- Press 1 **Request Application**
Press 2 **Status of Pending Application**
Press 3 **Verification of Credential Holder**
Press 4 **Name and Address Change**
To request the Wisconsin Statutes and Administrative Codebook
Complaint Against Credential Holder
To Request a Duplicate Credential
Renewal of Credential
Legal Questions
Press 5 **Rotary Telephone Users**

FAX: (608) 261-7083

Quick Keys

The following voice mail “short cuts” could be sent out with renewal notices and/or otherwise published:

To request a license application for your profession, just dial (608) 266-0145, then enter the Quick Keys number below for the profession you want:

- Optometry 1-5-2-1
Continuing Education Information/Application
Re-Registration 1-5-2-2
(Any profession expired 5 years or more)

Verifications

Verifications are now available online at www.drl.state.wi.us. Once you have accessed the Department website, please click on “License Lookup.”

If you do not use the online system, then all requests for verification of licenses/credentials should be submitted in writing. There is no charge for this service. Requests should be sent to the Department address or may be faxed to (608) 261-7083, Attention: Verifications.

Endorsements

Requests for endorsements to other states must be in writing. The cost is \$10. Please make check or money

order payable to the Department of Regulation and Licensing.

Visit the Department’s Web Site at:

<http://www.drl.state.wi.us/>

Send comments to web@drl.state.wi.us

Wisconsin Statutes and Code

Copies of the Optometry Statutes and Administrative Code can be ordered through the Board Office. Include your name, address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. The latest edition is dated February, 2001.

Change of Name or Address?

Please photocopy the mailing label of this digest, make changes in name or address, and return it to the Department. Confirmation of changes are not automatically provided.

WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.

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